

judged a high Traytor, and suffer, and forfeit, as in Cases of High Treason is accustomed, and every Person so holding, affirming or maintaining, after the Decease of our said Sovereign Lady, shall forfeit all his Goods and Chattels.

Which Clause, and last mentioned Penalty is still in force, and ought to be considered by those who now pretend that an Act of Parliament cannot dispose the Succession.

It has been objected that this Act was made to serve a present Turn, (*i. e.*) to keep the Queen of Scots, and her Party from attempting any Thing against Queen Eliz. she pretending to be the next Heir to the Crown, and therefore the Act declares, that it shall be Treason, during the Queen's Life, to maintain that she by Authority of Parliament could not limit the Succession of the Crown: And as for the last Clause, which makes it Forfeiture of Goods after her Decease, that was only inserted to preserve her Memory from being defamed with the Crime of Usurpation, which must have been the inevitable consequence of affirming that she and her Parliament could not limit the Succession.

Besides there are those who affirm her best Title was by Act of Parliament, because her Mother's marriage was declared unlawful by the Act 28 of H. 8. and if the Marriage was unlawful, the Issue which proceeded from it must be so too.

'Tis likewise objected that this Statute is expired, because in all the Editions of the Statutes since that Time, the Title of it is only mentioned with the Letters following, E X P. which signifies *expired*.

But it is plain by the Statute it self that it is not expired, for 'tis declaratory of the former Laws and Statutes made in other Kings Reigns, by which the Succession of the Crown had been settled upon those who were not the next Heirs.

As for Instance: Upon the Deposition of R. II. the Parliament voted, that H. IV. should be King,  
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